## ORDINANCE NO. 951214- E

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS:

TRACT 1: 5.13 ACRE TRACT OF LAND OUT OF THE RACHAEL SAUL SURVEY, ABSTRACT NO. 551, FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT AND "SF-2-CO" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT TO "LO" LIMITED OFFICE DISTRICT; AND,

TRACT 2: 46.37 ACRE TRACT OF LAND OUT OF THE RACHAEL SAUL SURVEY, ABSTRACT NO. 551, SAVE AND EXCEPT THE LAND DESCRIBED ABOVE AS TRACT 1 CONTAINING APPROXIMATELY 5.13 ACRES OF LAND, FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT AND "SF-2-CO" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT TO "IP-PDA" INDUSTRIAL PARK DISTRICT-PLANNED DEVELOPMENT AREA COMBINING DISTRICT,

LOCALLY KNOWN AS THE PROPERTY LOCATED ALONG WEST PARMER LANE, AND BEING MORE PARTICULARLY IDENTIFIED IN THE MAP ATTACHED AS "EXHIBIT A" TO THIS ORDINANCE, IN THE CITY OF AUSTIN, WILLIAMSON COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5, AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

<u>PART 1.</u> That Chapter 13-2 of the Austin City Code of 1992 is amended to change the respective base zoning districts on all of the property described in File C14-95-0093, as follows:

<u>Tract 1:</u> From "SF-2" Single-Family Residence (Standard Lot) district and "SF-2-CO" Single-Family Residence (Standard Lot) district-Conditional Overlay combining district to "LO" Limited Office district.

5.13 acre tract of land out of the Rachael Saul Survey, Abstract No. 551, said 5.13 acre tract of land being more particularly described by metes and bounds in "Exhibit B" attached and incorporated herein for all purposes.

<u>Tract 2:</u> From "SF-2" Single-Family Residence (Standard Lot) district and "SF-2-CO" Single-Family Residence (Standard Lot) district-Conditional Overlay combining district to "IP-PDA" Industrial Park district-Planned Development Area combining district.

46.37 acres of land described as two tracts of land out of the Rachael Saul Survey, Abstract No. 551, Save and Except the land described above as Tract 1 containing approximately 5.13 acres of land, said 46.37 acres of land being more particularly described by metes and bounds in "Exhibits C and D" attached and incorporated herein for all purposes.

[hereinafter referred to as the "Property"]

locally known as the Property located along West Parmer Lane, and being more particularly identified in the map attached as "Exhibit A" to this ordinance, in the City of Austin, Williamson County, Texas.

<u>PART 2.</u> Except as specifically restricted by this ordinance, the Property may be developed and used in accordance with regulations established for the respective base districts and other applicable requirements of the Land Development Code.

<u>PART 3.</u> Notwithstanding any use or site development regulations of the "IP" Industrial Park base zoning district to the contrary, the property identified as Tract 2, and being within the boundaries of the Planned Development Area combining district established by PART 1 of this ordinance, is subject to the following restrictions:

- 1. The following uses of Tract 2 shall be prohibited:
  - (a) Agricultural sales and services,
- (g) Exterminating services,

(b) Automotive rentals,

- (h) Medical offices,
- (c) Automotive repair services,
- (i) Railroad facilities, and,

(d) Automotive sales,

(j) General warehousing

and

- (e) Construction sales and services,
- distribution.

- (f) Convenience storage,
- 2. No structure of any kind shall be built to a height greater than 45 feet above ground level on Tract 2.
- 3. Development of Tract 2 shall be restricted to a maximum building coverage of 40%.
- 4. Development of Tract 2 shall be restricted to a maximum impervious coverage of 65%.
- 5. Development of Tract 2 shall be restricted to a maximum floor to area ratio of .50 to 1.
- 6. Development of Tract 2 shall conform to the following minimum setback requirements:
  - (a) minimum required front yard setback shall be 100 feet;
  - (b) minimum required street side yard setback shall be 100 feet; and,
  - (c) minimum required setback on the interior side yard and rear yard shall be based on the adjoining zoning districts, as follows:
    - (i) 100 feet, when abutting any property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4A, SF-4B, SF-5, or SF-6;
    - (ii) 50 feet, when abutting any property classified or used as MF-1, MF-2, MF-3, MF-4, MF-5, or MF-6, or MH; and,
    - (iii) 25 feet, when abutting any property classified or used as NO or less restrictive base district.
- 7. Development and use of Tract 2 shall conform with all applicable provisions of the PDA Planned Development Area performance standards established by Sec. 13-2-269 of the Land Development Code, and all other applicable provisions of the Austin City Code of 1992.

<u>PART 4</u>. That it is ordered that the Zoning Map established by Section 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

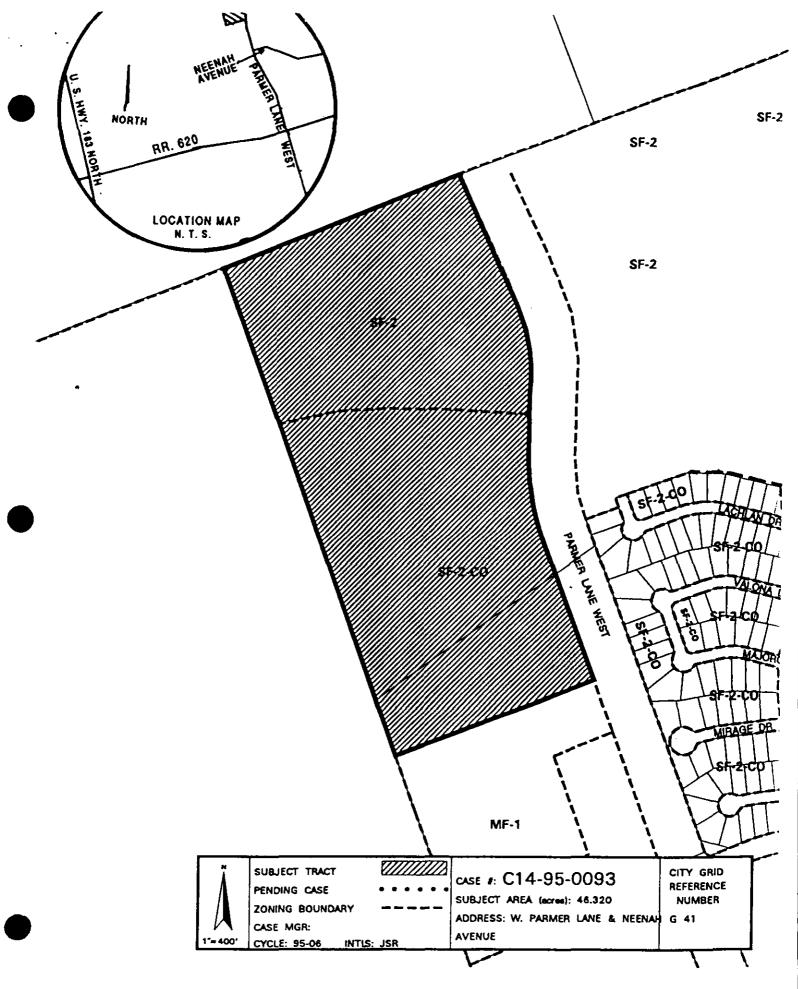
<u>PART 5</u>. That the requirements imposed by Sections 2-2-3, 2-2-5, and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the City Council.

<u>PART 6</u>. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage, as provided by the Charter of the City of Austin.

## CITY OF AUSTIN, TEXAS

PASSED AND APPROVED:	§
	§ Smu John
	Brúce Todd
	Mayor
APPROVED: Muchen Martin	·
Andrew Martin City Attorney	James E. Aldridge City Clerk

14Dec95 ME/jj



Davis Spring Zoning Case 5.13 Acres

F.N. 0215 (MRH) November 27, 1995 SAM, Inc. Job No. 95130-11

DESCRIPTION OF 5.13 ACRES OF LAND LOCATED IN THE RACHAEL SAUL SURVEY ABSTRACT NO. 551, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 46.37 ACRE PARCEL 1 DESCRIBED IN THE DEED TO STANDARD PACIFIC OF TEXAS, INC. AS RECORDED IN VOLUME 2224, PAGE 533 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 5.13 ACRE TRACT, AS DEPICTED ON THE ATTACHED SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with aluminum cap found in the west right-of-way line of Parmer Lane West as described in that deed recorded in Volume 1796, Page 485 of the Official Records of Williamson County, Texas, at its intersection with the north line of that certain 20.71 acre SAVE and EXCEPT tract as described in Exhibit 1 to that deed dated April 29, 1983 and recorded in Volume 917, Page 401 of the Official Records of Williamson County, Texas, being the southeast corner of said 46.37 acre tract and of this tract;

THENCE with the north line of the said 20.71 acre tract and the south line of said 46.37 acre tract for the south line of this tract, S 67° 57' 06" W, a distance of 100.04 feet to a calculated point for the southwest corner hereof, from which point a 1/2-inch iron rod set for the southwest corner of said 46.37 acre tract bears S 67° 57' 06" W, a distance of 813.38 feet;

THENCE crossing said 46.37 acre tract, a perpendicular distance of one hundred feet westerly from and parallel to the said west right-of-way line of Parmer Lane West, the following three (3) courses and distances:

- 1. N 20° 22' 20" W, a distance of 1651.57 feet to a calculated point of curvature,
- 2. with the arc of a curve to the left, a distance of 429.14 feet through a central angle of 04° 26' 48", having a radius of 5529.58 feet and chord which bears N 22° 35' 44" W, a distance of 429.04 feet to a calculated point of tangency, and
- 3. N 24° 49' 08" W, a distance of 153.99 feet to a calculated point in the north line of said 46.37 acre tract, being in the south line of that called 879.260 acre tract described in the deed to A. N. Avery Ranch Partnership as recorded in Volume 305, Page 228 of the Deed Records of Williamson County, Texas and being the northwest corner hereof:

THENCE with the said common line, the following two (2) courses and distances:

- 1. N 68° 48' 42" E, a distance of 66.46 feet to a 60d nail found in a 14-inch cedar, and
- 2. N 70° 03' 48" E, a distance of 33.80 feet to a 1/2-inch iron rod set in said west right-of-way line of Parmer Lane West for the northeast corner of said 46.37 acre tract and the northeast corner hereof;

THENCE with said west right-of-way line and the east line of said 46.37 acre tract, the following three (3) courses and distances:

- 1. S 24° 49' 08" E, a distance of 146.91 feet to a Texas Department of Transportation Type II right-of-way monument found for point of curvature,
- 2. with the arc of a curve to the right, a distance of 436.91 feet through a central angle of O4° 26' 48", having a radius of 5629.58 feet and chord which bears \$ 22° 35' 44" E, a distance of 436.80 feet to a Type II monument found for point of tangency, and
- 3. S 20° 22' 20" E, a distance of 1648.64 feet to the POINT OF BEGINNING and containing 5.13 acres of land, more or less.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

**COUNTY OF TRAVIS** 

That I, Michael R. Hatcher, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground during October and November, 1992 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 27th day of November, 1995, A.D.

SURVEYING AND MAPPING, INC. 4029 Capital of Texas Hwy., So., Suite 125 Austin, Texas 78704

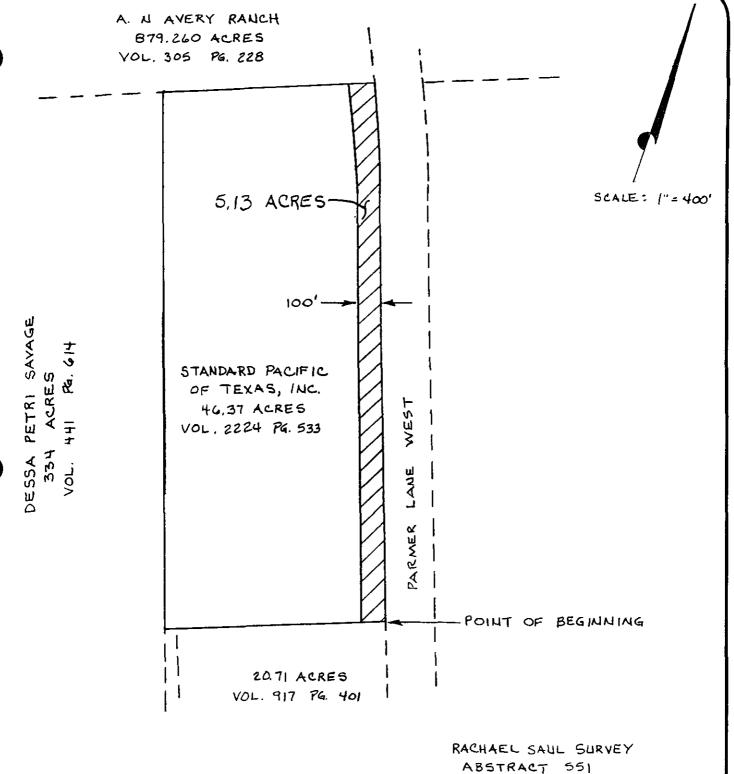
Michael R. Hatcher

Registered Professional Land Surveyor

No. 4259 - State of Texas

MICHAEL R. HATCHER

\*\* 2.44.2.5



WILLIAMSON COUNTY, TEXAS

Page of



4029 Capital of Texas Highway, So. Brodie Daks Professional Plaza, Suite 125 Austin, Texas 78704 (512) 447-0575 Fax: (512) 326-3029 SKETCH TO ACCOMPANY FIELD NOTE 0215

Davis Spring Zoning Case 24.12 Acres F.N. 0125 (MRH) June 9, 1995 SAM, Inc. Job No. 95042-14

DESCRIPTION OF 24.12 ACRES OF LAND LOCATED IN THE RACHAEL SAUL SURVEY ABSTRACT NO. 551, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 46.37 ACRE PARCEL 1 DESCRIBED IN THE DEED TO STANDARD PACIFIC OF TEXAS, INC. AS RECORDED IN VOLUME 2224, PAGE 533 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 24.12 ACRE TRACT, AS DEPICTED ON THE ATTACHED SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with aluminum cap found in the west right-of-way line of Parmer Lane West as described in that deed recorded in Volume 1796, Page 485 of the Official Records of Williamson County, Texas, at its intersection with the north line of that certain 20.71 acre SAVE and EXCEPT tract as described in Exhibit 1 to that deed dated April 29, 1983 and recorded in Volume 917, Page 401 of the Official Records of Williamson County, Texas, being the southeast corner of said 46.37 acre tract and of this tract;

THENCE with the north line of the said 20.71 acre tract for the south line of this tract, \$ 67° 57' 06" W, at a distance of 863.38 feet passing an iron rod found for the northwest corner of the said 20.71 acre tract, same being the northeast corner of a 50 foot wide access easement as described in the said deed recorded in Volume 917, Page 401, in all a total distance of 913.42 feet to an iron rod set in the east line of that 334.00 acre tract described in a deed to Dessa Petri Savage dated December 7, 1960 and recorded in Volume 441, Page 614 of the Deed Records of Williamson County, Texas, for the southwest corner of said 46.37 acre tract and of this tract;

THENCE with the east line of the said 334.00 acre tract, being the west line of said 46.37 acre tract and of this tract, the following two (2) courses and distances:

- 1. N 20° 14' 35" W, a distance of 327.89 feet to an iron rod found, and
- 2. N 19° 51' 21" W, a distance of 884.69 feet to an iron rod set for the northwest corner of the tract described herein;

THENCE crossing said 46.37 acre tract, the following three (3) courses and distances:

- 1. N 69° 31' 52" E, a distance of 196.97 feet to a 1/2-inch iron rod set for point of curvature to the right,
- 2. with the arc of said curve to the right, a distance of 523.78 feet through a central angle of 20° 29' 06", having a radius of 1465.00 feet and chord which bears N 79° 46' 25" E, a distance of 521.00 feet to a 1/2-inch iron rod set for point of tangency, and

Davis Spring Zoning Case 24.12 Acres F.N. 0125 (MRH) June 9, 1995 SAM, Inc. Job No. 95042-14

3. S 89° 59' 02" E, a distance of 207.50 feet to a 1/2 inch iron rod set in the west right-of-way line of said Parmer Lane West;

THENCE with the said west right-of-way line of Parmer Lane West \$ 20° 22' 20" E, a distance of 1022.10 feet to the POINT OF BEGINNING and containing 24.12 acres of land.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

**COUNTY OF TRAVIS** 

That I, Michael R. Hatcher, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground during October and November, 1992 with additional field work in June, 1995 under my direction and supervision.

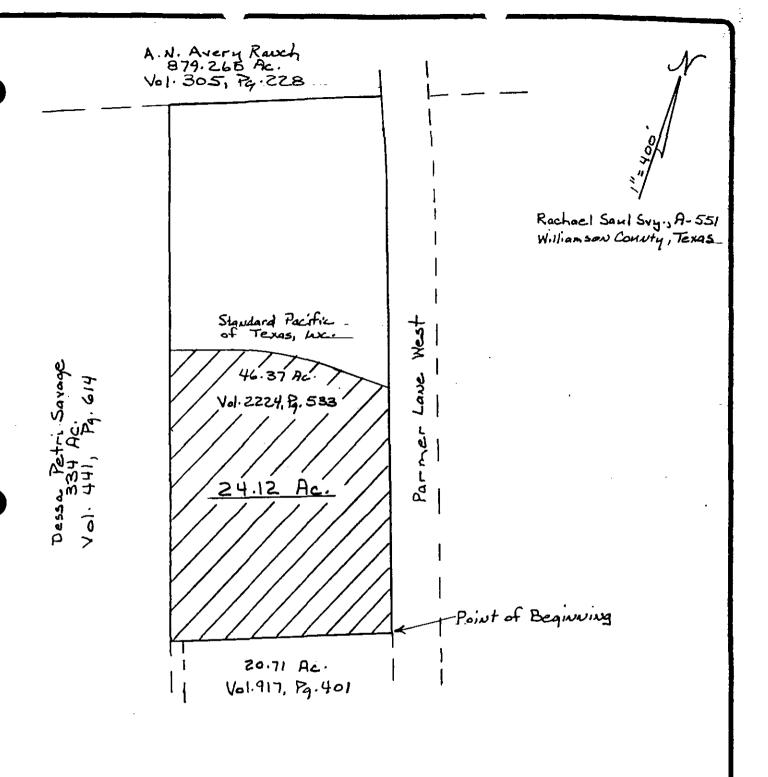
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 12th day of June, 1995, A.D.

SURVEYING AND MAPPING, INC. 4029 Capital of Texas Hwy., So., Suite 125 Austin, Texas 78704

Michael R. Hatcher

Registered Professional Land Surveyor

No. 4259 - State of Texas







4029 Cepital of Texas Highway, Sq. Brodie Oeks Professional Plaza, Suito 125 Austin, Texas 78704 (512) 447-0575 Fax: (612) 826-8020 SKETCH TO ACCOMPANY FIELD NOTE 0125

F.N. 0124 (MRH) June 9, 1995 SAM, Inc. Job No. 95042-14

DESCRIPTION OF 22.25 ACRES OF LAND LOCATED IN THE RACHAEL SAUL SURVEY ABSTRACT NO. 551, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 46.37 ACRE PARCEL 1 DESCRIBED IN THE DEED TO STANDARD PACIFIC OF TEXAS, INC. AS RECORDED IN VOLUME 2224, PAGE 533 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 22.25 ACRE TRACT, AS DEPICTED ON THE ATTACHED SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found for the northeast corner of that 334.00 acre tract described in a deed to Dessa Petri Savage dated December 7, 1960 and recorded in Volume 441, Page 614 of the Deed Records of Williamson County, Texas, being in the south line of the 879.260 acre A. N. Avery Ranch Partnership tract as described in the deed dated January 1, 1941 and recorded in Volume 305, Page 228 of the Deed Records of Williamson County, Texas and being the northwest corner of the said 46.37 acre tract and the northwest corner of this tract;

THENCE with the south line of the said 879.260 acre tract and the north line of said 46.37 acre tract, the following five (5) courses and distances:

- 1. N 67° 23' 57" E, a distance of 220.40 feet to a 60d nail found in a 10-inch live oak,
- 2. N 67° 00' 18" E, a distance of 81.40 feet to a 60d nail found in a 15-inch cedar,
- 3. N 67° 47' 56" E, a distance of 144.61 feet to a 60d nail found in a 6-inch elm,
- 4. N 68° 48' 42" E, a distance of 389.49 feet to a 60d nail found in a 14-inch cedar, and
- 5. N 70° 03' 48" E, a distance of 33.80 feet to a iron rod set in the west right-of-way line of Parmer Lane West as described in that deed recorded in Volume 1796, Page 485 of the Official Records of Williamson County, Texas, for the northeast corner of said 46.37 acre tract and of this tract:

THENCE with the said west right-of-way line of Parmer Lane West the following three (3) courses and distances:

- 1. S 24° 49' 08" E, a distance of 146.91 feet to a Texas Department of Transportation bronze disk found in concrete (Type II monument) for a point of curvature,
- 2. with the arc of a curve to the right, a distance of 436.91 feet through a central angle of O4° 26' 48", having a radius of 5629.58 feet and whose chord bears \$ 22° 35' 44" E, a distance of 436.80 feet to a Type II monument found for a point of tangency, and
- 3. S 20° 22' 20" E, a distance of 626.54 feet a 1/2-inch iron rod set for the southeast corner of the tract described herein;

THENCE leaving said right-of-way line and crossing said 46.37 acre tract, the following three (3) courses and distances:

- 1. N 89° 59' 02" W, a distance of 207.50 feet to a 1/2-inch iron rod set for point of curvature to the left,
- 2. with the arc of said curve to the left, a distance of 523.78 feet through a central angle of 20° 29' 06", having a radius of 1465.00 feet and chord which bears \$ 79° 46' 25" W, a distance of 521.00 feet to a 1/2-inch iron rod set for point of tangency, and
- 3. S 69° 31' 52" W, a distance of 196.97 feet to a 1/2-inch iron rod set in the east line of the said 334.00 acre tract, being the west line of said 46.37 acre tract, for the southwest corner of the tract described herein;

THENCE with the said common line, the following two (2) courses and distances:

- 1. N 19° 51' 21" W, a distance of 208.22 feet to an iron rod found, and
- 3. N 20° O2' 11" W, a distance of 815.36 feet to the POINT OF BEGINNING and containing 22.25 acres of land.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

#### **COUNTY OF TRAVIS**

That I, Michael R. Hatcher, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground during October and November, 1992 with additional field work in June, 1995 under my direction and supervision.

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SURVEYING AND MAPPING, INC. 4029 Capital of Texas Hwy., So., Suite 125 Austin, Texas 78704

Michael R. Hatcher

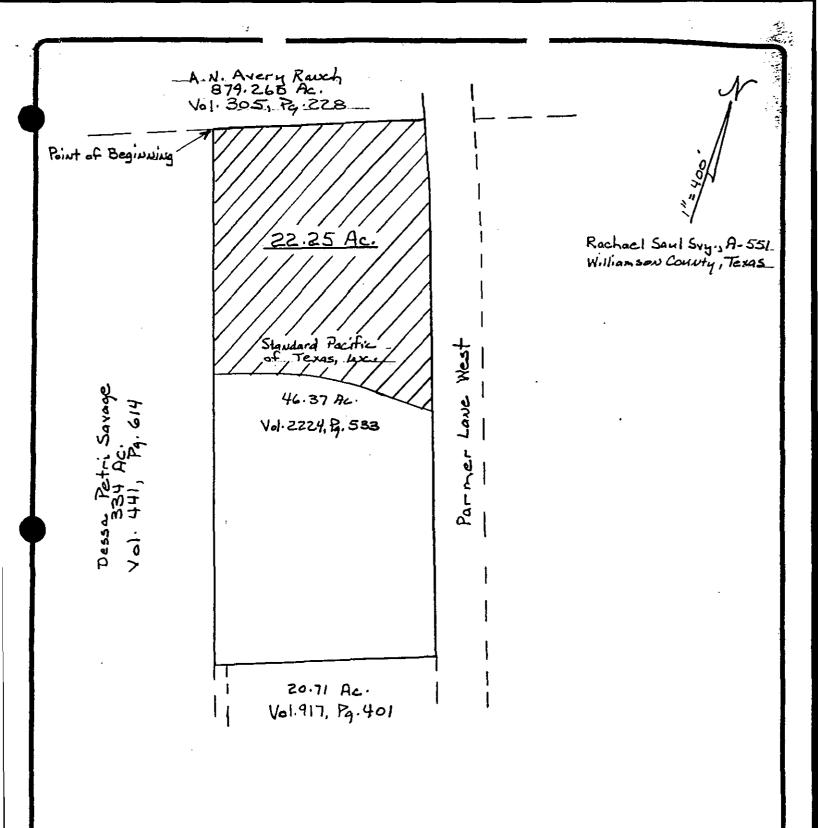
Registered Professional Land Surveyor

No. 4259 - State of Texas

MICHAEL R. HATCHER D

"Exhibit D" - Page 2 of 2

[SEE NEXT PAGE FOR SKETCH ACCOMPANYING LEGAL DESCRIPTION]





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PO#: 95/2/4E

Ad 1D#: CLQ701400

Acct #: 4992499

# Austin American-Statesman

Acct. Name: City Clerk

### AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

## Jeff Rosenberg

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

Date (s):	Decemb	ner 22,	nd, 190	15				
Class:	9980	Lines:	44	Cost: \$90,56				
and that the attached is a true copy of said advertisement.								
			Adl -	Nounterry				

SWORN AND SUBSCRIBED TO BEFORE ME, this the 22nd ay of Dec., 1995.



Notary Public in and for TRAVIS COUNTY, TEXAS

Sharon Janak	My Commission	Expires:	11/10/99
Type or Print Name of Notary)			